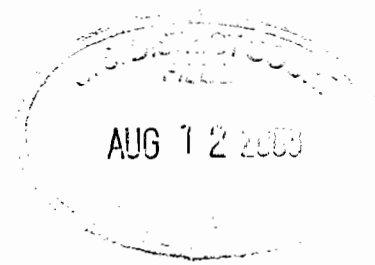


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
40 FOLEY SQUARE
NEW YORK, NEW YORK 10007-1581



CHAMBERS OF
DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE

August 11, 2008

Matthew S. Flamm, Esq.
26 Court St.
Brooklyn, NY 11242

David M. Pollack, Esq.
Assistant Corporation Counsel
100 Church Street
New York, NY 10007

Re: *Patrick Henry v. The City of New York*
No. 07 Civ. 09928 (DAB) (DF)


Dear Counsel:

This case has been referred to me by Judge Batts for the purpose of settlement.

So that I may have a preliminary understanding of where the parties stand, I have scheduled a telephone conference on September 12, 2008 at 11:30 a.m. Counsel should arrange to initiate the call jointly to my chambers; the main number is (212) 805-4250.

Please have some serious settlement discussions between counsel prior to that call. I will expect you to address the status of those discussions on the call. Please understand that I will not schedule an in-person settlement conference until counsel can represent that they have engaged in earnest discussions on their own and, although they are interested in resolving the matter, they have been unable to do so without the Court's direct involvement.

Very truly yours,



Debra Freeman
United States Magistrate Judge